

**Translation**

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>2003P03435WO</b>	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. <b>PCT/EP2004/004292</b>	International filing date (day/month/year) <b>22.04.2004</b>	Priority date (day/month/year) <b>12.05.2003</b>
International Patent Classification (IPC) or national classification and IPC		
Applicant <b>SIEMENS AKTIENGESELLSCHAFT</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 9 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/004292

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 4-12 \_\_\_\_\_ as originally filed/furnished
- pages\* 1, 2 \_\_\_\_\_ received by this Authority on 11.03.2005 with the letter of 11.03.2005
- pages\* 3, 3a \_\_\_\_\_ received by this Authority on 03.08.2005 with the letter of 27.07.2005
- ☒ the claims:
- nos. \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1-21 \_\_\_\_\_ received by this Authority on 03.08.2005 with the letter of 27.07.2005
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets 1/6-6/6 \_\_\_\_\_ as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."



## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

holder is mounted on the housing.

The fastening means (57, 58) is resilient and has at least one barb (58) which abuts an opposing edge (52) when the battery holder (4-1) is in the mounted state.

The battery holder (4-1) in D3 is also detachable (figure 6).

*See D3, figures 6 and 7 and paragraphs 41-57.*

The subject matter of claim 1 thus differs from the prior art document D3 in that the housing has a recess into which the battery holder is at least partly inserted, the base body of the battery holder has a bearing surface which, in the mounted state, at least partly abuts an outer face of a wall of the housing enclosing the recess and the fastening means is in the form of a resilient detent hook which extends outwards from the bearing surface into the interior of the housing.

The subject matter of independent claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention may therefore be considered that of ensuring that the battery is exchangeable from outside the housing and the battery holder is removable from the recess while at the same time the fastening means is accessible only from the interior of the

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housing.

The solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)). The reasons are:

D3 discloses a housing in which the battery is exchangeable only from the inside of the housing.

The housing in D1 comprises a battery holder which is fastened to the housing by means of ultrasound welding. This results in a more expensive production and installation process.

2. Dependent claims:

Claims 2-21 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

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Box No. VIII      Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1.      Clarity:

The following wording is used twice in claim 1 (see pages 9-14):

"wherein the fastening means (5) is accessible only from the interior of the housing when the battery holder (2) is mounted on the housing (1)".